

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 22, 2002
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 15, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Heier moved and Campbell seconded approval of the minutes of the Board of Equalization meeting dated January 15, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 50 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Campbell moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

BryanLGH Medical Center
Calvary Cemetery & Mausoleum
Christian Heritage Children's Home
City Impact
Evangelical United Lutheran Church
First Evangelical Covenant Church
New Bethel Bibleway Apostolic Temple
St. Patrick's Catholic Church
Sesostris Temple
Tabitha Inc.
Union College
Wyuka Cemetery & Funeral Home

MOTION: Heier moved and Campbell seconded approval of the motor vehicle tax exemptions. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned at 1:33 p.m.

Bruce Medcalf
County Clerk

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The Board of Commissioners meeting was convened at 1:33 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 15, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Campbell moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated January 15, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

A. PV 784-6335, dated December 31, 2001 - Community Mental Health has requested payment to Judith Tannahill, totaling \$45.20, for mileage reimbursement, \$16.91 is over 90 days old (see Neb. Rev. Stat. §23-135).

MOTION: Campbell moved and Hudkins seconded approval of PV 784-6335, including \$16.91 which was over 90 days old. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

2) **CLAIMS FOR REVIEW CONTINUED:**

B. PV 784-6325, dated December 31, 2001 - Community Mental Health has requested payment to Audrey Bakula, totaling \$54.17, for mileage reimbursement, \$14.15 is over 90 days old (see Neb. Rev. Stat. §23-135).

MOTION: Heier moved and Hudkins seconded approval of PV 784-6325, including \$14.15 which was over 90 days old. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

3) **CLAIMS: Approval of all claims processed through Tuesday, January 22, 2002.**

MOTION: Campbell moved and Heier seconded approval. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. County Final Plat 00024, Ironhorse Acres Addition, requested by Brian D. Carstens and Associates on behalf of Kirk Helmink, for 12 residential lots (2 of which lie within the jurisdiction of the Village of Firth), one outlot for a private roadway and two outlots for open space, on property generally located on the north side of Pella Road, east of South 82nd Street in Lancaster County, Nebraska.

The Chair opened the public hearing.

Brian Carstens, representing Kirk Helmink, appeared and reported that all improvements have been completed.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

MOTION: Campbell moved and Hudkins seconded approval of County Final Plat 00024, Ironhorse Acres Addition. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

David Johnson, Deputy County Attorney, informed the County Board he would draft a subdivision agreement and resolution regarding the Final Plat for next week's agenda.

5) **OLD BUSINESS:**

- A. **An actuary contract with Midwest Casualty Company to consult with the County regarding its self-insured Workers' Compensation Program and General Liability Program. The County will pay \$8,000 for the services upon receipt of the report. (C-01-594)**

MOTION: Hudkins moved and Stevens seconded approval of a contract with Midwest Casualty Company. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. **An application for a Special Events Permit from the 2002 Animal Run to hold a fund raiser for a local charity on Saturday, February 2, 2002 beginning at 10 a.m.**

MOTION: Campbell moved and Stevens seconded approval of a Special Events Permit from the 2002 Animal Run to hold a fund raiser on February 2, 2002. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

- B. **An interlocal agreement between the Lancaster County Engineering Department and the Nemaha Natural Resource District (NRD) for the Upper Little Nemaha Watershed Structure Number 23, Lancaster County Structure R-184. The Nemaha NRD will construct a floodwater retardation structure, at no cost to the County, downstream from County Bridge 23 located on Roca Road between South 148th Street and South 162nd Street. The County will allow the Nemaha NRD to store floodwater temporarily on County right-of-way. (C-02-29)**

This agreement was held at the request of the County Attorney's Office.

6) NEW BUSINESS CONTINUED:

C. A contract between the Lancaster County Engineering Department and Thiesen Construction, Inc., in the amount of \$24,700, for the repair of Lancaster County Structure Number O-174 generally located between South 1st and South 14th Streets on Pioneers Boulevard. The work will be completed by March 15, 2002. (C-02-30)

MOTION: Heier moved and Hudkins seconded approval of a contract with Thiesen Construction, Inc. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

D. A grant contract with Region V to provide funding for the Family and Youth Investment Program which is a professional partnering program in association with the Families First and Foremost Project. The County will pay \$12,350 for one month of service in July, 2001. (C-02-31)

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with Region V. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

E. An agreement with Geotechnical Services, Inc. to investigate existing soil conditions at First Street and McKelvie Road in Lancaster County, Nebraska. The County will pay up to \$2,240. (C-02-32)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with Geotechnical Services, Inc. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

F. A contract between the Lancaster County Treasurer's Office and Wells Fargo Corporate Banking for annual depository services for a three year period, beginning September 1, 2001 and ending August 31, 2004 with an option to renew for an additional three year period. (The award of the project was approved by the County Board on August 14, 2001.) (C-02-33)

MOTION: Hudkins moved and Stevens seconded approval of a contract between the Lancaster County Treasurer's Office and Wells Fargo Corporate Banking. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

G. Recommendation from the Purchasing Agent and the Lancaster County Community Mental Health Center to award an order from a State of Nebraska contract (CA#5695) for one, 2002 Ford Focus Wagon SE subcompact, four door sedan to Anderson Ford, Inc., in the amount of \$14,589. (B-02-02)

MOTION: Heier moved and Campbell seconded approval. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to reject all bids received for hauling rock to various County stockpiles due to an excessive increase over previous years (a 51 to 88 percent increase). (B-02-03)

Don Thomas, County Engineer, reported that they would rebid for greatly reduced quantities.

MOTION: Campbell moved and Hudkins seconded to accept the recommendation from the Purchasing Agent and the County Engineer to reject all bids received for hauling rock to various County stockpiles. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

I. A political subdivision tort claim filed against the Lancaster County Corrections Department by Robert B. Creager, on behalf of KaMarr King, in the total amount of \$100,000.

MOTION: Campbell moved and Hudkins seconded to deny the tort claim filed against the Corrections Department by Robert B. Creager, on behalf of KaMarr King. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

J. A political subdivision tort claim filed against the Lancaster County Corrections Department by Brett McArthur, on behalf of Jon M. Richard, in an unspecified amount.

MOTION: Campbell moved and Heier seconded to deny the tort claim filed against the Corrections Department by Brett McArthur, on behalf of Jon M. Richard. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

K. Reappointment of Allan Gilloon to the Commissioners Award of Excellence Committee for a two year term, beginning February 1, 2002 and ending January, 31, 2004.

MOTION: Heier moved and Hudkins seconded approval. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lancaster County Engineer's Monthly Reports for October, November and December, 2001.
2. Lancaster County Engineer's Monthly Reports for the Geographic Information System Division for October, November and December, 2001.
3. Lancaster County Noxious Weed Control Authority's Annual Report and Recommendations for the Combined Weed Program for the City of Lincoln for 2001.
4. Lancaster County Sheriff's Report of Fees for December, 2001.
5. Lincoln City Libraries' Director's Report for December, 2001.
6. University of Nebraska Cooperative Extension's Annual Report for October 1, 2000 through September 30, 2001.

B. Setting of a public hearing for Tuesday, February 5, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Miscellaneous 01014, requested by the Director of Planning, to amend the Lancaster County Subdivision Resolution to require that the size of each sheet of a final plat submittal be 16 by 22 (as opposed to 16 by 24) inches, to be consistent with the requirements of the City Subdivision Ordinance.

7) CONSENT ITEMS CONTINUED:

- C. Setting of a public hearing for Tuesday, February 5, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to discuss adoption of a policy governing the expenditure of public funds for payment or reimbursement of actual and necessary expenses incurred by County elected officials, appointed officials, employees and volunteers.
- D. An agreement between the Lancaster County Juvenile Detention Center and High Plains Power Supply for maintenance of a power generator including inspection for proper operation, oil sampling, change of all fluid, filters and crank case oil, in the amount of \$505, beginning January 1, 2002 and ending December 31, 2002. Rates for additional labor and emergency service is outlined in the agreement and can be used at the County's option. (C-02-34)
- E. A request from Karen D. Turvey, an employee at Lancaster Manor, to voluntarily participate in the Lancaster County employees retirement plan.

MOTION: Campbell moved and Heier seconded approval of the Consent Items.

Hudkins requested that Consent Item 7D be held for further review.

Kathy Smith, Purchasing Agent, explained she had talked to Don Killeen, Property Manager, and a representative from High Plains Power Supply with regard to the contract. She stated the unit has a 24 month warranty which covers all defects in materials and workmanship.

Smith stated the Public Building Commission feels they don't have adequately trained staff to monitor the equipment to ensure that it's operating properly. She stated Killeen had informed her that the Building Commission generally enters into a contract for maintenance on all of their generators and critical systems.

Hudkins requested that the agreement be held for one week to allow for further review regarding the possibility of a local Caterpillar dealer, such as Lincoln Equipment, providing maintenance instead of a company from Omaha. He also stated he was concerned regarding the fact that an inspection would be performed only once every 52 weeks.

7) **CONSENT ITEMS CONTINUED:**

Both the maker of the motion and the seconder agreed to hold Consent Item 7D for further review and approve all other items.

Campbell noted for the record that High Plains Power Supply does have a Lincoln office.

ROLL CALL: Workman, Hudkins, Campbell, Stevens and Heier voted aye.
Motion carried.

8) **ADJOURNMENT:**

MOTION: At 1:58 p.m. Heier moved and Campbell seconded adjournment of the Board of Commissioners meeting. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk